

# **Annual Public Notice**

## **Special Education Services and Programs**

### **Imhotep Institute Charter High School**

The undersigned Charter School located in Philadelphia County insures that all children with disabilities residing in its boundaries, including children with disabilities, regardless of the severity of their disabilities, and who are in need of special education and related services, are identified, located, and evaluated. This responsibility is required by a federal law called the Individuals with Disabilities Act Amendment of 1997 (IDEA '97).

In accordance with IDEA '97 the undersigned Charter School publishes a notice to parents, in newspapers and makes use of public opportunities on radio and television, before any major identification, location, or evaluation activity. Further, these charter schools notify parents annually of their confidentiality rights. To comply with the requirements of the IDEA '97 and the Family Educational Rights and Privacy Act of 1974 (FERPA), the following is the annual public notice for the undersigned Charter School.

This Charter School provides a free and appropriate public education to school age children with disabilities who need special education and related services and are identified as eligible for special education if they need specially designed instruction and have one or more of the following physical or mental disabilities.

- Autism/ Pervasive Developmental Disorder
- Serious Emotional Disturbance
- Neurological impairment
- Deafness/ hearing impairment
- Specific learning disability
- Mental retardation
- Multi-handicap
- Other health impairment
- Physical disability
- Speech and language impairment
- Blindness/ visual impairment

### **Screening**

The Charter School has established and implemented procedures to locate, to identify, and evaluate school age students suspected of being eligible for special education. These procedures employ screening activities which include but are not limited to: review of group- based data (cumulative records, enrollment records, health records, and report cards); hearing screenings (at minimum of kindergarten, first, second, third and seventh grades); vision screenings (every grade level); motor screenings; and speech and language screenings.

Except as indicated above or otherwise announced publicly, screening activities take place on an on-going basis throughout the school year. Screenings are conducted in the Charter School site unless other arrangements are necessary. If parents need additional information about the purpose, time and location of the screening activities, they should call or write to the Charter School.

## **Evaluation**

When screening indicates that a student may be exceptional, the Charter School will seek parental consent to conduct an evaluation. "Evaluation" means procedures used in the determination of whether a child has a disability and the nature and the extent of the special education and related services the child needs. The term means procedures used selectively with an individual child and does not mean basic tests administered to or procedures used with all children.

This evaluation is called a multidisciplinary evaluation (MDE). The MDE is conducted by a multidisciplinary team (MDT), which must include at least a school psychologist, a teacher, and parents. The MDE process will be conducted in accordance with specific timelines and will include protection-in-evaluation procedures. For example, tests and procedures used as part of the multidisciplinary evaluation will not be radically or culturally biased.

The MDE process will result in a written evaluation report called a Comprehensive Evaluation Report (CER). This report makes recommendations about a student's eligibility for special education based on the presence of a disability and the needs for specially designed instruction. Once parental consent for the evaluation is obtained, the undersigned charter schools follow timelines and procedures specified by law.

Parents who think their child is eligible for special education may request, at any time, that the Charter School conduct a multidisciplinary evaluation. Requests for a multidisciplinary evaluation should be made in writing to the Principal of the School in which the child is enrolled (that is, lower, middle or upper school). If a parent makes an oral request for a multidisciplinary evaluation, the Charter School Special Education Office will provide the parent with a form for that purpose.

## **Education Placement**

The determination of whether a student is eligible for special education is made by an Individualized Education Program (IEP) team. A single test or procedure will not be the sole factor in determining that a child is exceptional. The IEP team will include at least two members in addition to the parent(s). Other members will include at least one regular education teacher of the child (if the child is, or may be, participating in the regular education environment), at least one special education teacher, or where appropriate, at least one special education provider, and a representative of the Charter School. If the student is determined to be exceptional, the IEP team will develop a written education plan called an IEP. The IEP will be based on the results of the multidisciplinary evaluation. The IEP team may decide that a student is not eligible for

special education. In that instance, recommendations for education and programming in regular education will be developed from the Comprehensive Evaluation Report.

An IEP describes a student's current education levels, goals, objectives, and the individualized programs and services, which the student will receive. IEP's will be reviewed on an annual basis. The IEP team will make decisions about the type of services, the level of intervention, and the location of the intervention.

### **Services for Qualified Handicapped Students**

Students who are not eligible to receive special education programs and services may qualify as handicapped students under federal statutes and regulations intended to prevent discrimination (34 CFR Part 104). The undersigned Charter Schools will ensure that qualified handicapped students have equal opportunity to participate in the Charter program including extracurricular activities to the maximum extent appropriate for each individual student. In compliance with state and federal law, the undersigned Charter Schools will provide to each qualified handicapped student (without discrimination or cost to the student or family), those related aids, services, or accommodations which are needed to provide equal opportunity to participate in and to obtain the benefits of the Charter program and extracurricular activities to the maximum extent appropriate to the student's abilities. In order to be a qualified handicapped student, the child must be of school age with a physical or mental disability which substantially limits or prohibits participation in or access to any aspect of the Charter program.

These services and protections for qualified handicapped students may be distinct from those applicable to eligible or thought-to-be eligible students. The Charter School or the parent may initiate an evaluation if either believes that a specific student is a qualified handicapped student. For further information on the evaluation procedures and provision of services to qualified handicapped students, parents should contact the appropriate Charter School Site Director's Office.

### **Confidentiality**

The undersigned Charter School protects the confidentiality of personally identifiable information regarding its eligible, thought to be eligible, and qualified handicapped students (if not protected by IDEA '97) in accordance with the Family Educational Rights and Privacy Act of 1974 (FERPA) and other applicable federal and state laws, policies and regulations.

"Education records" means those records that are directly related to the student, including computer media and videotape, which are maintained by an educational agency or by a party acting for the agency. "Educational agency", for purposes of this notice, means all of the undersigned Charter Schools. For all students, these Charter Schools maintain education records which include but are not limited to:

- Personally identifiable information- confidential information that includes, but is not limited to, the students name, name of parents and other family members, the address of

the student or the student's family, and personal information or personal characteristics which would make the student's identity easily traceable.

- Directory information- information contained in an education record of a student which would not generally be considered harmful or an invasion of privacy, if disclosed. It includes, but is not limited to, the student's name, address, telephone number, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members' athletic teams, dates of attendance, degrees and awards received, and the most recent previous educational agency or institution attended.
- The Family Educational Rights and Privacy Act (FERPA) afford parents and students over 18 years of age ("eligible students") certain rights with respect to the student's education records. They are:
  - Parents have the right to inspect and review a child's education record. The Charter School will comply with this request to inspect and to review education records without unnecessary delay and before any meeting regarding an IEP or any due process hearing, but in no case more than 30 days after the request has been made. Requests should be submitted in writing, to the appropriate Site Director or other designated Charter School officials, indicating the records the parents wish to inspect. Parents will receive a response from the Charter for reasonable requests for explanations and interpretations of the records. Parents may request and receive copies of the records. While the Charter will not charge a fee to search for or to retrieve information, it may charge a copying fee as long as it does not effectively prevent the parents from exercising their right to inspect and review the records. Parents have the right to appoint a representative to inspect and review their child's records. If any education record contains information on more than one child, parents have the right to inspect and to review only the information relating to their child.
  - If parents believe that information in an education record is inaccurate, misleading, or violates the privacy or other rights of their child, they may request an amendment to the record. Requests should be in writing and must specifically identify the part of the record they want changed, and specify why it is inaccurate or misleading. The Charter School will decide whether or not to amend the record and will notify the parents in writing of its decision. If the Charter School refuses to amend the record, it will notify the parents of their right to a hearing to challenge the disputed information. Additional information regarding the hearing procedures will be provided to the parents or eligible student when notified of the right to a hearing. The Charter School will inform parents when personally identifiable information is no longer needed to provide educational services to a child. Such information must be destroyed at the request of the parents. Parents have a right to receive a copy of the material to be destroyed. However, a permanent record of a student's name, address, and telephone number, his or her grades, attendance record, classes attended, grade level completed, and year completed, and year completed may be obtained without time limitation. "Destruction" of records means physical destruction or removal of personal identifiers from information so that the information is no longer personally identifiable. The undersigned Charter School will provide upon request, a listing of the types and locations of education records maintained, the Charter officials responsible for these records, and the Charter personnel authorized to see personally identifiable information. Such personnel will receive training and instruction regarding confidentiality. The Charter keeps a record of parties obtaining access to education

records, including the name of the party, the date access was given, and the purpose for which the party is authorized to use the records.

- Parents have the right to consent to disclosures of personally identifiable Information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. "Consent" means the parent(s) have been fully informed regarding the activity requiring consent, in their native language or other mode of communication; they understand and agree in writing to the activity; and they understand and agree in writing to the activity; and they understand that consent is voluntary and may be revoked at any time, information may be disclosed without consent to the Charter officials with legitimate educational interests. A Charter School official is a person employed by the Charter. The School District of Philadelphia (the chartering district), or the intermediate unit as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); state agency representative, person or company with whom the Charter has been contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, or assisting another Charter official in performing his or her tasks. A Charter official has a legitimate educational interest if the official needs to review an educational record in order to fulfill his or her professional responsibility. Director information may be released without parental consent. Parents have the right to refuse to let an agency designate any or all of the above information as directory information. Upon written request, the Charter School will disclose educational records without consent to officials of another Charter School or school district in which a student seeks or intends to enroll.
- Parents have the right to file a complaint with the U.S. Department of Education concerning alleged failures by CAP to comply with the requirements of FERPA. Complaints may be filed with the Family Policy Office, U.S. Department of Education, 400 Maryland Avenue, S.W. Washington D.C. 20202-4605

### **Mode of Communication**

The content of this notice has been written in straight-forward, simple language. If a person does not understand any part of this notice, he or she should contact the administrative office of the Charter School [Joseph Foster, Principal or Andre Noble, Dean of Students (215) 438-4140] for an explanation and/or for referral to the appropriate Charter School official.

The Charter School will arrange an interpreter for parents with limited English proficiency. If a parent is deaf or blind or has no written language, the Charter School will arrange for communication of this notice in the mode normally used by the parent (e.g. sign language, Braille).

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Joseph Foster, Principal, 215-438-4140